

10.1 Introduction

This chapter presents the regulatory context that forms the basis for identifying and assessing cultural resources. This chapter also describes the historic setting of the project area and region, identifies project-related cultural resource impacts, and recommends measures to minimize or avoid those impacts.

10.2 Affected Environment

10.2.1 Area of Potential Effects

The project applicant proposes to construct a diversion structure along the Truckee River near Floriston (figures 2-1 and 2-2). For the purposes of this report, the affected area (area of potential effects [APE]) includes the construction area surrounding the original diversion structure site, the site of the proposed new diversion structure, and all potential staging and access areas, including the site of the old Floriston Pulp and Paper Company mill and a segment of Old Highway 40, which is proposed for rehabilitation as an access road to the new diversion structure (figure 10-1).

Because the project could directly and indirectly affect the entire Farad power facility, the APE was expanded to include the facility's 1.8-mile wooden flume, forebay structure; penstocks, and Farad powerhouse, located northeast of the project construction area.

10.2.2 Field and Research Methods

The Native American Heritage Commission (NAHC) was contacted to request a search of its sacred lands files for information regarding the project area, and to obtain a list of Native American individuals and organizations potentially interested in the proposed project. All parties identified by the NAHC were contacted initially by letter. The United Auburn Indian Community of the Auburn Rancheria was the only party to respond; it stated that no cultural

resources of interest to the community were known to be associated with the proposed project. Historical societies in the area were also contacted regarding the proposed project. The Truckee-Donner Historical Society responded with information regarding the former Floriston paper mill site.

Jones & Stokes cultural resource specialists conducted a records search at the North Central Information Center of the California Historical Resources Information System. The search revealed no known archaeological or historical cultural resources in the project area. However, 2 historical resources within a 0.5-mile radius of the project area (but outside of the APE) had been recorded:

- a section of the first transcontinental railroad and
- a ditch and associated artifacts.

Jones & Stokes cultural resource specialists conducted field surveys and produced a technical report regarding historical resources (archaeological and architectural). John Foster of Foothill Archaeological Services surveyed the project area for prehistoric cultural resources in June 1999. Foster identified no cultural resources and documented his findings in a technical report (Foster 1999).

Jones & Stokes conducted further research at various locations in California and Nevada. Locations at which research was conducted included the California State Library, Sacramento; California State Archives, Sacramento; the Caltrans Library, Sacramento; University of California, Davis; the Truckee-Donner Historical Society, Truckee; Special Collections of the University of Nevada, Reno; Nevada State Library and Archives, Carson City; and SPPC Headquarters, Reno.

10.2.3 Regulatory Setting

10.2.3.1 State and Federal Requirements

10.2.3.1.1 CEQA

CEQA requires that public or private projects financed or approved by public agencies assess the impacts of the project on historical resources. Historical resources are defined as buildings, sites, structures, objects, or districts, each of which may have historical, architectural, archaeological, cultural, or scientific significance.

CEQA requires that, if a project results in an impact that may cause a substantial adverse change in the significance of an historical resource, alternative plans or mitigation measures must be considered; however, only impacts on significant historical resources need to be addressed. Therefore, before assessing impacts or developing mitigation measures, the significance of resources must be

determined. Historical significance is based on eligibility for listing in the California Register of Historical Resources (CRHR). The steps normally taken in a cultural resources investigation for CEQA compliance are:

- identify potential historical resources,
- evaluate the eligibility of historical resources, and
- evaluate the impacts of a project on all eligible historical resources.

10.2.3.1.2 NEPA and Section 106 of the National Historic Preservation Act

Section 404 of CWA requires the project applicant to obtain a permit from USACE. The application process for this permit triggers NEPA and Section 106 of the NHPA; USACE will be the federal NEPA lead agency and responsible for Section 106 compliance. The identification of historic properties and evaluation of eligibility for listing in the National Register of Historic Places (NRHP) for the purpose of Section 106 compliance is presented in an inventory and evaluation report.

Section 106 of NHPA requires that, before beginning any undertaking, a federal agency must take into account the effects of the undertaking on historic properties and afford the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on the project. The Section 106 process has 5 basic steps:

- identify and evaluate historic properties;
- assess effects of the proposed project on historic properties;
- consult with the State Historic Preservation Officer (SHPO) and other interested parties regarding adverse effects on historic properties;
- create a Memorandum of Agreement (MOA) based upon consultation with interested parties, the SHPO, and ACHP; and
- proceed in accordance with the MOA.

The assessment of impacts presented in this chapter applies the criteria of effect and adverse effect, as defined by NHPA. Because these criteria are consistent with the criteria for determining impacts under both CEQA and NEPA, this chapter will document the effects of the project for the purpose of CEQA, NEPA, and Section 106. Specific regulations regarding compliance with Section 106 state that, although the tasks necessary to comply with Section 106 may be delegated to others, the federal agency (in this case, USACE) is ultimately responsible for ensuring that the Section 106 process is completed according to statute.

10.2.3.2 Criteria for Determining Historical Significance

10.2.3.2.1 CEQA Criteria for Historical Significance

The State CEQA Guidelines state that a property can qualify as a significant historical resource for the purposes of CEQA review if

- the resource is listed in or determined eligible for listing in the CRHR,
- the “historical resource” is included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the preponderance of evidence demonstrates that it is not historically or culturally significant, or
- the lead agency determines the resource to be significant as supported by substantial evidence in light of the whole record.

(California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15064.5.)

Resources listed in or eligible for listing in the NRHP are considered eligible for listing in the CRHR. Therefore, NRHP-listed or -eligible resources are automatically considered significant historical resources for the purpose of CEQA.

10.2.3.2.2 NRHP Criteria for Historic Significance

For proposed projects involving federal permitting or funding, cultural resource significance is evaluated in terms of eligibility for listing in the NRHP (National Park Service 1991). NRHP significance criteria applied to evaluate the cultural resources in this analysis are defined in 36 CFR 60.4 as follows:

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

- (a) that are associated with events that have made a significant contribution to the broad patterns of our history; or
- (b) that are associated with the lives of persons significant in our past; or
- (c) that embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

- (d) that have yielded, or may be likely to yield, information important in prehistory or history.

The NRHP is a list of historic properties that represent the local, state, and national heritage of the United States. The list is managed by the National Park Service (NPS) for the Department of the Interior (DOI), but each State Historic Preservation Office reviews eligibility assessments and forwards recommendations for listing from the state level. Listing in the NRHP does not afford a property protections or restrictions on future uses. The NRHP program is expressly intended to provide recognition of the importance of a property and to serve as a record of our nation's heritage for the benefit of future generations.

10.2.3.2.3 Integrity

In addition to meeting the aforementioned significance criteria for federal and state registers, potentially historic properties must possess integrity to be considered eligible for listing in the NRHP or the CRHR. Integrity refers to a property's ability to convey its historic significance (National Park Service 1991). Integrity is a quality that applies to historic resources in 7 specific ways: location, design, setting, materials, workmanship, feeling, and association. A resource must possess 2, and usually more, of these kinds of integrity, depending upon the context and the reasons the property is significant.

10.2.4 Historic Setting

10.2.4.1 Introduction

The proposed project is located along the Truckee River adjacent to the unincorporated town of Floriston and high on the eastern side of the Sierra Nevada. Situated in the Truckee River Valley at the easternmost edge of Nevada County, the project area is approximately 1 mile west of the California/Nevada border. The project region is positioned in a rugged rural canyon featuring a few populated areas, the largest being Floriston, the former company town of a (now defunct) paper and wood-pulp mill. Although terrain and weather conditions largely prevented the permanent establishment of cities and towns, the valley historically served as a pass between the mining camps and cities of northern California and western Nevada.

The Truckee River Valley initially served as a route for explorers, and later for emigrants traveling in wagons over the Sierra Nevada. The Stevens-Murphy party was the first group of emigrants known to succeed in bringing wagons over the route in 1844 (Beck and Haase 1974). The success of the Stevens-Murphy party in establishing the so-called Truckee Route prompted an increase in the flow of overland traffic into California by wagon train and the exploration of new routes and trail cutoffs (Jones & Stokes Associates 1999).

Over time, the Truckee River Valley served routes carrying wagons, trains, and eventually automobiles. As transportation improved through the valley, industry, infrastructure, and settlement increased.

10.2.4.2 Hydroelectric Development—1899–Present

In 1899, 6 power companies formed the Truckee River General Electric Company, which focused its efforts on supplying the Comstock silver mines with electricity. Simultaneously, other small power companies were experimenting with electrical systems nearer Reno and Sparks. The early plants associated with these companies were located directly east of downtown Reno along the Truckee River and supplied limited amounts of electricity. (Sierra Pacific Power Company 1995.)

With a relative abundance of water, hydroelectric endeavors on the western side of the Sierra Nevada were successful; these endeavors included the Folsom Power Plant (constructed by Horatio Livermore in 1895) and others that served the Yuba River gold region. Two gold mining financiers, John Martin and Eugene Sabla, searched for a power source for their mines that would be more economical than steam; they found that source in hydroelectric power. Presumably influenced by the success of the Folsom plant, the 2 men constructed a series of power plants between 1895 and 1899 to fuel their mines near Nevada City. Eventually, they were able to supply power to electrical markets as far away as Oakland, California. (Hughes 1983.)

Likely spurred by the successes on the western Sierra Nevada, silver mining interests (largely out of San Francisco) with holdings on the east side of the range realized the potential advantages of larger-scale hydroelectric power. In 1899, the Comstock Pumping Association (a collection of 27 mining companies) contracted with the newly formed Truckee River General Electric Company to construct a hydroelectric power plant along the Truckee River in the mountains above Reno. (Truckee River General Electric 1899.) The people responsible for the incorporation of this new electric company, including then president Mortimer Fleishhacker, were initially trying to supply power to the newly constructed Floriston Pulp and Paper Company mill along the Truckee River. (Low 1900.) In addition to the power plant, the Truckee River General Electric Company was to construct a substation in Virginia City, from which the various mine companies could draw power (Truckee River General Electric 1899). After the agreement between the Comstock Pumping Association and the Truckee River General Electric Company was finalized, construction of the Farad Power Plant began in early January 1900, and delivery of power from the plant to Virginia City took place for the first time in September of that year (Low 1900).

The lure of profits from the generation of electrical power on the eastern side of the Sierra Nevada appealed to many new companies that followed the Truckee River General Electric Company's lead. Competition intensified at the start of the 20th century, and many of the smaller power companies consolidated with

their larger, more powerful rivals. In 1922, the Truckee River General Electric Company completed its final acquisition of utility companies when it obtained the Reno Power Light and Water Company. Six years later, the company formally incorporated as Sierra Pacific Power Company. (Sierra Pacific Power Company 1995.)

Electricity distribution by SPPC increased to cover an area of 15,000 square miles. Demand eventually overloaded the production capabilities of the plants along the Truckee River. To counter this deficit, Pacific Gas and Electric Company (PG&E), based on the western side of the Sierra Nevada, proposed a 60,000-volt interconnection line traversing the mountains. The abundance of electricity generated on the river-rich western side of the Sierra Nevada, coupled with the high demand for electricity in Nevada and the Lake Tahoe area, probably motivated PG&E to market the endeavor. (Sierra Pacific Power Company 1995.)

New sources of energy, such as natural gas and geothermal power, currently supply the region east of the Sierra Nevada. Most of these newer energy sources are brought in over great distances through pipelines and other conduits. One of the oldest and closest sources of power, the generation of electricity using the water of the Truckee River, retains an important role through its continuous service of the California and Nevada markets.

10.2.4.3 Paper and Wood-Pulp Production—1899–1930

Although the silver mining interests of California possessed the capital needed to establish a substantial hydroelectric operation on the Truckee River, another industry planted the seed for development of the Farad Power Plant in 1899. At that time, paper and wood-pulp manufacturing preceded silver mining as the largest potential market for electricity on the east side of the Sierra Nevada. Small paper mills existed in parts of northern California by the late 19th century; these included sites in Stockton, Soquel, and San Francisco. During this period, companies producing in northern California included the Willamette Pulp and Paper Company, the Crown Paper Company, and the Columbia River Paper Company. (Smith 1970.)

In determining the location for a new pulp and paper mill, the Crown Paper Company apparently considered a number of factors and likely found that the Truckee River Valley on the eastern side of the Sierra Nevada was ideal. Any new mill had to be close to a supply of wood for the pulping process. Although paper companies used many substances for paper production, pine and other coniferous trees supplied them with the majority of raw material by the late 1800s (Joint Executive Committee on Vocational Education 1922). Access to water and power was also necessary for paper production. After the turn of the 20th century, average mills required approximately 35,000–80,000 gallons of water to produce 1 ton of pulp. Pulp mills also demanded large amounts of power for general operation. Proximity to a major transportation source for the

import of raw materials and supplies and the export of finished product was also crucial to successful mill operation. With the installation of the hydroelectric plant at Farad, the Truckee River Valley furnished all of these necessary requirements. (California State Chamber of Commerce 1952.)

After the new Crown Paper Company subsidiary facility (i.e., the Floriston Pulp and Paper Company mill) was completed, the mill (near modern-day Floriston) became one of the largest suppliers of fruit paper in the United States, producing 35 tons of paper per day (Smith 1970). The Floriston plant suffered from intermittent closings and finally ceased operations permanently by 1930, after years of litigation resulting from chemical discharges into the Truckee River (Stanford University 1926, Schegg 1978, Lowell 1996). From then on, paper production occurred in areas far from the Truckee River Valley. Most paper manufacturing companies later based their primary business in Oregon and Washington.

10.2.4.4 Truckee Valley Transportation History

10.2.4.4.1 Early Road Construction—1850–1868

The increase in mining activity in the Sierra Nevada, combined with the influx of emigrants into California, led to the construction of a network of roads and trails fanning out from Sacramento. By the early 1850s, the Gold Rush and the advent of statehood provided an impetus for the development of new and improved roads throughout the central Sierra Nevada region. (Howard 1998.)

Surveyors laid out a proposed wagon route across the Sierra Nevada by 1860. The Lake Pass Turnpike Company organized to construct the route, called Dutch Flat and Donner Lake Road. Momentum for construction of this road began to build soon after the discovery of silver in 1859 at the Comstock Lode in Nevada. Although the Lake Pass Turnpike Company initially organized the planning of the road, the Central Pacific Railroad also realized the benefit of building a supply turnpike out ahead of their track, and built one accordingly. (Adams 1950, Bethel 1999.)

With the completion of the Central Pacific Railroad line to the Nevada border in spring 1868, business along the wagon road declined rapidly. By the time the railroad reached Reno in June 1868, the road was largely abandoned. The decline in freighting over the Dutch Flat and Donner Lake Road mirrored the general erosion of traffic along toll roads in the central Sierra Nevada. With faster and more economic service provided by the railroad, toll road operators found that they could not compete, thus bringing an end to the era of privately owned roads in California. (Galloway 1989.)

10.2.4.4.2 Railroads—1860–1869

The completion of the transcontinental railroad signaled the beginning of a new era in California and an end to the sense of isolation felt by many in the region. The western half of the railroad began in Sacramento and extended eastward over the Sierra Nevada to Promontory, Utah. Congress awarded this 690-mile undertaking to the Central Pacific Railroad, a newly formed California corporation.

In 1860, railroad engineer Theodore Judah began searching for a viable route for a rail line over the Sierra Nevada. Judah found that the best passage over the summit was the same route the Donner Party used in 1846. This route followed along the gradually sloping, continuous ridge between the Bear River and the North Fork of the American River. The ridge extended from the Sacramento Valley up toward Emigrant Gap and Donner Pass. The eastern portion of the route passed along the Truckee River into Nevada. By 1869, the east-progressing Central Pacific Railroad met the west-progressing Union Pacific Railroad at Promontory, Utah, and thus completed the nation's first transcontinental railroad. (Rawls and Bean 1993, Gilberg 1986.)

10.2.4.4.3 Modern Highways—1895–1959

The impetus for a modern highway system across the Sierra Nevada began during the last decade of the 19th century, when development and maintenance of good roads became a popular cause throughout California. In 1895, the California Legislature created the Bureau of Highways to develop a plan for a new state highway system. The plan committed the State of California (for the first time in the state's history) to the public ownership and operation of a highway when it took control of the Lake Tahoe Wagon Road. (Boudier 1966)

In September 1913, various sections of older state routes formed the northern part of the Lincoln Memorial Highway, the nation's first transcontinental thoroughfare. Conceived by inventor Carl G. Fisher, the Lincoln Memorial Highway was a novel concept not only because of its length, but because it was the first concrete, interstate road in America. (Lincoln Highway Association 1935, Hokanson 1985.)

By 1925, the Lincoln Memorial Highway became U.S. 30 in the east and midwest. The highway between Wendover, Utah, and San Francisco, California, eventually became U.S. 50. Initially, 2 routes of the Lincoln Highway spanned the Sierra Nevada. The southern route, which passed through Carson City and proceeded around the south shore of Lake Tahoe to Echo Summit, also became U.S. 50. The northern portion of the Lincoln Highway passed through Reno and around the north shore of Lake Tahoe to Truckee; it became U.S. 40. This route became part of the "Victory Highway," which commemorated the veterans of World War I. Because the northern route had been renamed, U.S. 50 emerged as

the sole Lincoln Memorial Highway route in California. (Kilcline 1952, Lincoln Highway Association 1920.)

Although the Lincoln Memorial Highway route began as the premiere transcontinental road, the superior condition of U.S. 40 (including its more favorable grades), as well as the growing importance of Reno and other towns along this route, gave it priority over the Lincoln Highway when improvements were needed (Adams 1950). In 1947, work commenced to improve the route to “intercontinental” standards. The overall design called for replacing the old 2-lane route with 4 lanes. Construction crews carried out the work in phases and completed the new route at the end of 1964. The new route carried the title of Interstate 80, or “I-80.” Although the route used much of the right-of-way (ROW) of old U.S. 40, the California Highway Commission acquired new ROW to allow for the expanded lanes and reduction of sharp corners. (Sherwood 1965.) Officials completed the majority of highway west of the Sierra Nevada and all of (modern) I-80 east of Donner Lake (to the Nevada state line) by late 1959, in time for the 1960 Winter Olympics held at Squaw Valley (Hart 1959).

10.2.4.4 Summary

The Truckee Valley has served as an important east-west route across the Sierra Nevada, beginning with the Gold Rush of the 1840s. Over time, improvements to transportation infrastructure allowed for greater ease of interstate commerce and mountain settlement. Modern I-80 over the Sierra Nevada now provides the quickest route from the San Francisco Bay Area to Reno and the east.

10.2.4.5 Summary of Known Cultural Resources

On July 5, 2000, and January 23, 2001, members of Jones & Stokes’ cultural resource staff conducted field surveys of the APE and associated structures. The extent of the field survey included the project operation area along the Truckee River, the alignment of the wooden flume, and the Farad powerhouse, located approximately 1.8 miles northeast of the project construction area.

10.2.4.5.1 Archaeological Resources

The report conducted by John Foster (Foothill Resources) in 1999 revealed that no prehistoric archaeological sites or artifacts have been identified within the APE.

10.2.4.5.2 Floriston Pulp and Paper Company Mill Site

The site of the former Floriston Pulp and Paper Company mill is located in the southeastern portion of the project operation area (along the east bank of the

Truckee River). Other than a scatter of historic building materials located in the fill of the I-80 grade, virtually no evidence of the former mill remains; I-80 was constructed over it in 1959. The former company town of Floriston and a commemorative plaque placed in the vicinity are the only current indications of the former mill's existence.

The site of the former mill does not appear to meet the criteria for listing in the NRHP, nor does it appear to be a historic resource for the purposes of CEQA. After completion of the extensive grading necessary for constructing I-80, virtually all remains of the mill were removed, relocated, or covered by construction elements of the new route. There appears to be little likelihood that the location could yield information important to history.

10.2.4.5.3 Farad Hydroelectric Power System

The Farad hydroelectric power system comprises 5 key elements:

- the diversion structure off the Truckee River (includes earthen settling basin),
- the wooden water-conveyance flume,
- the forebay structure,
- wood-stave penstocks, and
- the powerhouse.

The Farad hydroelectric power system appears to meet the criteria for listing in the NRHP. Therefore, the system appears to be a historic resource for the purposes of CEQA.

The system, constructed in 1900, appears to meet NRHP Criterion A (CRHR Criterion 1) for its role in the early development of large-scale hydroelectric power generation and distribution on the eastern side of the Sierra Nevada, which included distribution to towns and cities of eastern California and western Nevada. Cheap and plentiful electricity supplied to these areas resulted in substantial new development. The Farad system also appears to be the oldest potentially operational hydroelectric system east of the Sierra Nevada. In addition, the system appears to meet NRHP Criterion C (CRHR Criterion 3) as an excellent example of 19th-century western hydroelectric power plant construction.

The power system's period of significance begins with its construction date of 1900 and continues to 1951 (an arbitrary date of 50 years before its evaluation in this report). Over time, portions of the system have been updated to meet the needs of continued use as a power-producing plant. However, much of the system retains a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association. Noted elements of the system that have been modified since its initial construction in 1900 include the diversion structure, rebuilt in 1959, and the forebay structure, reconstructed in 1978.

Regardless of these alterations, and considering the significance and integrity of the overall system, the Farad hydroelectric power system appears eligible for listing in the NRHP and appears to be a historic resource for the purposes of CEQA.

10.2.4.5.4 Old Highway 40/Lincoln Memorial Highway/Victory Highway Segment

The proposed project's APE includes an approximately 0.4-mile segment of Old Highway 40. The segment skirts the western slope of the Truckee Valley approximately 80–100 feet above the Truckee River. The approximately 60-foot-wide asphalt segment is currently used as a secondary access road. Substantial deterioration along the east and west shoulders resulted from lack of upkeep and exposure to the elements.

The segment of Old Highway 40 within the APE does not appear to meet the criteria for listing in the NRHP or the CRHR, most importantly because of its integrity. Its abandonment and subsequent neglect, along with the construction of I-80 nearby have diminished the segment's historic setting, materials, workmanship, feeling, and association. Therefore, this segment of Old Highway 40 does not appear to meet the criteria for listing in the NRHP, nor does it appear to be a historical resource for the purposes of CEQA.

10.3 Impact Assessment Methodology

10.3.1 Criteria for Determining Impact Significance under California Law

According to the State CEQA Guidelines, a project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant impact on the environment (CEQA rev. 1998, Section 15064.5[b]). The State CEQA Guidelines further state that a substantial adverse change in the significance of a resource means the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired. Actions that would materially impair the significance of a historic resource are those that would demolish or adversely alter those physical characteristics that convey its historical significance and qualify it for inclusion in the CRHR or in a local register or survey that meet the requirements of sections 5020.1(k) and 5024.1(g) of the Public Resources Code.

10.3.2 Criteria for Determining Impact Significance under Federal Law

Under federal regulations, a project has an effect on a historic property when the project could alter the characteristics of the property that may qualify the property for inclusion in the NRHP, including alteration of location, setting, or use. A project may be considered to have an adverse effect on a historic property when the effect may diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Adverse effects on historic properties include, but are not limited to,

- physical destruction or alteration of all or part of the property;
- isolation of the property from, or alteration of, the property's setting when that character contributes to the property's qualifications for listing in the NRHP;
- introduction of visual, audible, or atmospheric elements that are out of character with the property or that alter its setting;
- neglect of a property resulting in its deterioration or destruction; or
- transfer, lease, or sale of the property (36 CFR 800.9).

10.4 Impacts and Mitigation Measures of Alternative A: Proposed Project

Impact 10-1: Change in Historical Resources Associated with the Farad Hydroelectric Power System

Under Alternative A, the proposed project would replace the former diversion structure with a new and improved diversion structure located approximately 700 feet upstream on the Truckee River.

Although the overall Farad hydroelectric system appears to be a significant historic resource, portions of the system have been modified to meet the modern demands of hydroelectric power generation. The original diversion structure for the Farad system was rebuilt and relocated as a result of the construction of I-80 over Donner Pass in 1959. The expanded ROW required for the construction of the 4-lane interstate route necessitated the relocation of the 1900 diversion structure (and a portion of the earthen settling basin) to a point north of its original location. The vast majority of the hydroelectric system, including the wooden flume, forebay, penstocks, and powerhouse, was not affected perceptibly by the construction of I-80. The diversion structure, as it existed in 1997 when it was destroyed by flood, was less than 50 years old and is not considered a contributing element to the overall system's potential historic significance.

The forebay was reconstructed in 1978. The wood flume, penstocks, and powerhouse, although considered contributors to the potentially historical resource, would not be directly affected by the proposed project. Finally, given the relocation of the diversion structure in 1959, its having been less than 50 years old, and the fact that the diversion structure was destroyed before the proposed project was planned, this impact is considered *less than significant*. No mitigation is required.

Impact 10-2: Disturbance of Unique Paleontological Resources or Human Remains

Fossil resources have not been observed on the project site and significant fossils are not known to occur in the geologic material that occurs at this location. Field surveys and an archaeological survey of the site (Foothill Resources 1999) revealed no prehistoric archaeological sites or artifacts. Therefore, this impact is considered *less than significant*. No mitigation is required.